

REMARKS

Favorable reconsideration of this application in light of the following amendments and remarks is respectfully requested. Claims 31-33 have been cancelled.

Double Patenting

The office action asserts that claims 25-33 of the subject application conflict with claims 24-32 of Application No. 10,617,082 (the '802 Application), and that the conflicting claims from all but one application must be cancelled. Accordingly, claims 31-33 of the subject application have been cancelled. Furthermore, claims 24-29 of the '082 application (corresponding to claims 25-30 of the subject application) have been withdrawn and will be cancelled. Double patenting will thus be avoided.

35 U.S.C. §102(b)

Claims 25-28 stand rejected under 35 U.S.C. §102(b) as being anticipated by Jorgensen et al. (U.S. Pat. No. 6,003,624). Claim 25 requires a plurality of ground contacting elements coupled to the support platform such that the support platform is statically stable with respect to tipping in the fore-aft and the lateral plane.

In contrast, Jorgensen teaches a vehicle that is not statically stable to tipping in both the fore and aft planes. More particularly, Jorgensen asserts that a feature of the vehicle taught therein is to "actively stabilize itself." (see Jorgensen at Abstract) Since Jorgensen does not teach a required limitation (static stability) of the embodiment of

claim 25, Jorgensen cannot anticipate claim 1. Claims 25-27, which depend from claim 25 and add further limitations, are likewise not anticipated by Jorgensen.

It is believed that the application is in condition for allowance. Consideration of the application and issuance of a notice of allowance are respectfully requested.

Applicant believes that no extension of time is required; however, this conditional petition is being made to provide for the possibility that the applicant has inadvertently overlooked the need for an extension of time. If any additional fees are required for the timely consideration of this application, please charge deposit account number 19-4972.

If the Examiner has any questions as to the allowability of the currently pending claims or if there are any defects which need to be corrected, the Examiner is invited to speak to the Applicants' counsel at the telephone number given below.

Respectfully submitted,



Samuel J. Petuchowski
Registration No. 37,910

BROMBERG & SUNSTEIN LLP
125 Summer Street
Boston, MA 02110-1618
Tel: 617 443-9292
Fax: 617 443-0004

01062/00D67 390628.1